IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 8779 of 2005(T)

ST.251 & 252/2004 of ADDL.C.J.M.(E&O),ERNAKULAM
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PETITIONERS:
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1. COASTAL TECHNOVATORS PVT. LTD.,
MANSOOR MANSION, RAILWAY STATION ROAD,
KASARAGOD, REP. BY ITS DIRECTOR, AHMED M.KALNAD.

2. AHMED M. KALNAD, DIRECTOR,
COASTAL TECHNOVATORS PVT. LTD, MANSOOR MANSION,
RAILWAY STATION ROAD, KASARAGOD.

3. FATIMA KALNAD, DIRECTOR,
COASTAL TECHNOVATORS PVT. LTD.,
MANSOOR MANSION, RAILWAY STATION ROAD,
KASARAGOD.

BY ADV. SRI.K.SHRIHARI RAO

RESPONDENTS:
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1. THE REGISTRAR OF COMPANIES,
KERALA, M.G.ROAD, ERNAKULAM, KOCHI-11.

2. THE ASSISTANT REGISTRAR OF COMPANIES,
KERALA, M.G.ROAD, ERNAKULAM, KOCHI-11.

BY ADV. SRI.P.PARAMESWARAN NAIR, ASSISTANT SG
SRI.SHYSON P.MANGUZHA, PUBLIC PROSECUTOR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.8779 of 2005

APPENDIX

PETITIONER'S EXTS:

EXT.P1 - TRUE COPY OF LETTER DT.30.9.2000 OF PETR.

EXT.P2 – TRUE COPY OF LETTER DT. DO. OF PETITIONER.

EXT.P3 – TRUE COPY OF LETTER DT.6.11.2000 OF R2

EXT.P4 - TRUE COPY OF LETTER DT.10.11.2000 OF 1ST PETR.

EXT.P5 – TRUE COPY OF NOTICE DT.8.4.04 OF R2.

EXT.P6 TRUE COPY OF LETER DT.1.5.04 OF 1ST PETR.

EXT.P7 – TRUE COPY OF COMPLAINT DT.5.8.04 – ST.251/04.

EXT.P8 – TRUE COPY OF COMPLAINT DT.5.8.04 – ST.252/04

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.8779 OF 2005

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DATED THIS THE 17th JULY, 2007

J U D G M E N T

Heard both sides.

2. The order of stay presently passed will continue for six more months from today. The Registrar of Companies is directed to take an early decision on the application dated 5.8.2005 which has already been submitted by the petitioners for relief under the Simplied Exit Scheme, 2005 taking into account the various grounds raised in this Writ Petition also, at the earliest and at any rate within three months of receiving copy of this judgment. If the petitioners are desirous of a personal hearing in the matter of that application, they shall make a request in that regard to the Registrar of Companies who will grant the request. The Registrar of Companies shall intimate his decision on the application to the petitioners. Once the petitioners receive the decision of the Registrar of Companies on the above application, they will file necessary application before the Additional Chief Judicial Magistrate, Economic Offences, Ernakulam for an early disposal of the case on the basis of the decision of the Registrar of Companies on the application under the Simplied Exit Scheme, 2005 which will be granted by the learned Magistrate. It will also be open to the complainant, the

Assistant Registrar of Companies to seek withdrawal of the complaint on the basis of the decision on the application mentioned hereinbefore.

The Writ Petition is disposed of as above.

tgl/ **(PIUS C.KURIAKOSE, JUDGE)**